

REMARKS

Claims 1-20 are all the claims pending in the application. New claims 19 and 20 have been added by this Amendment.

As an initial matter, Applicants note that the Examiner has not yet returned an initialed copy of the SB/08 form submitted with the IDS filed on December 17, 2008. Accordingly, Applicants respectfully request the Examiner to consider the references cited in the December 17th IDS, and return to Applicants an initialed copy of the SB/08 form.

Claim Rejections – 35 U.S.C. § 102

Claim 1 is rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Publication No. 2001/0042113 to Cesar *et al.* (“Cesar”). For *at least* the following reasons, Applicants respectfully traverse the rejection.

Applicants respectfully submit that claim 1 is patentable over Cesar. For example, claim 1 relates to an information transmission apparatus. The apparatus comprises, *inter alia*, request analyzing means, storage means, information addition means, and information transmission means. The request analyzing means receives an instruction including both a request for transmission of specific information and an identifier identifying an information processing apparatus that has made the transmission request. The information processing apparatus making the transmission request is from among a plurality of information processing apparatus, which are connected with said information transmission apparatus by way of a common connection line.

The storage means stores array data about arrays. Each array indicates a correspondence between one of a plurality of different pieces of information to be transmitted (to the requesting

information processing apparatus) and at least an identifier identifying one of said plurality of information processing apparatus. The information addition means adds the identifier associated with said instruction to the specific information associated with said instruction by referring to said storage means based on analysis results from said request analyzing means. The information transmission means transmits the specific information to which the identifier is added to the information processing device which has provided said instruction to said information transmission apparatus.

In the Office Action, it is alleged that Cesar, in paragraphs [0005], [0008]-[0010], and [0029], discloses each and every one of the above-noted features of claim 1. Applicants respectfully disagree.

Applicants submit that Cesar does not disclose *at least* the claimed storage means and the claimed information addition means. For example, Cesar is directed to a video-on-demand system including a server (send unit) and a plurality of decoders (receiving units). Cesar's server updates the decoders by sending to the decoders a new version of the system software (allegedly the claimed specific information) for the decoders (Cesar, Abstract).

However, Applicants point out that Cesar discloses that the system software is the same for all the set-top boxes ("decoders"), so one download (from the server to the decoders) will suffice to transmit the necessary data packets of the new versions to all the set-top boxes (Cesar, paragraph [0020]). On the other hand, the claimed storage means stores array data about arrays each indicating a correspondence between one of a plurality of different pieces of information to be transmitted and at least an identifier identifying one of said plurality of information processing apparatus. Therefore, even if Cesar discloses that the server stores a list of set-top boxes which have received the new version of the system software, this list does not indicate a

correspondence between different versions of the system software and the set-top boxes (Cesar, paragraph [0029]). Rather, it is a correspondence between the same new version of the system software and the set-top boxes that have received the new version. For *at least* this reason, Cesar cannot anticipate claim 1.

Further, Cesar's aforementioned list includes "the addresses of those set-top boxes which have acknowledged receipt of the data packets" (Cesar, paragraph [0029]). That is, the stored list does not include any correspondence between new system software "to be transmitted" and a set-top box address (alleged identifier), as required by claim 1. Instead, Cesar's list includes correspondence information between new system software already transmitted and the respective receiving set-top boxes. As such, Cesar also does not disclose any correspondence between different pieces of information to be transmitted and addresses of the set-top boxes.

The Examiner also cites paragraph [0029] for disclosing the claimed information addition means. As noted above, the claimed information addition means adds the identifier associated with said instruction (allegedly the address of the respective set-top box) to the specific information associated with said instruction (allegedly the new version of the system software) by referring to said storage means based on analysis results from said request analyzing means. Nowhere in Cesar, however, is it disclosed that the address of the respective set-top box is added to the new version of the system software. Rather, as discussed above, the address is used to maintain a list of set-top boxes that have acknowledged receipt of the new version. Although the addresses are naturally also used to transmit the new system software to the set-top boxes, as disclosed in paragraph [0025] of Cesar, Cesar does not disclose here that the addresses are added to the new system software prior to being sent, as required by claim 1 (e.g., the claimed

information transmission means transmits the specific information to which the identifier is added).

Therefore, Cesar does not disclose all the above-noted features of claim 1 in as complete detail as set forth in the claim. Accordingly, Cesar cannot anticipate claim 1.

Claim Rejections – 35 U.S.C. § 103

Claims 1-18 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over by E.P. Publication No. 1071288 to Blahut in view of what was allegedly well known in the art, support provided U.S. Patent No. 7,136,042 to Magendanz *et al.* (“Magendanz”), and further in view of Cesar. For *at least* the following reasons, Applicants respectfully traverse the rejection.

Under this rejection, the Examiner acknowledges that Blahut does not teach *at least* the storing of the identifiers of the plurality of the information processing apparatus, as claimed (Office Action, page 8, last paragraph). However, the Examiner now relies on Cesar to cure these deficient teachings of Blahut (Office Action, page 9). Applicants respectfully disagree.

For instance, as already pointed out above, Cesar also does not teach that addresses of the set-top boxes (alleged identifiers) are *added* to the transmitted new system software before being transmitted to the set-top boxes. Furthermore, Cesar does not teach storing any type of data which indicates a correspondence between a plurality of *different* pieces of information *to be transmitted* and an address of a set-top box, as shown above with respect to the anticipation rejection of claim 1. Accordingly, Applicants submit that the combined teachings of Blahut, Magendanz, and Cesar still do not teach all the features of the claim, since Magendanz is only relied upon for allegedly teaching a common connection line (Office Action, page 8, first paragraph). Therefore, claim 1 is patentable over the alleged combination of Blahut, Magendanz, and Cesar.

Also under the obviousness rejection, to support the official notice taken in relation to the “common connection line”, the Examiner now contends that “devices such as cable splitters exist to enable multiple hookups to a single cable line” (Office Action, page 7, first full paragraph). The Examiner contends that he purchased such a cable splitter in the fall of 2001. *Id.* In other words, the Examiner is relying on personal knowledge but does not provide any support for his assertions. As such, Applicants respectfully request the Examiner to provide an affidavit or declaration setting forth the specific factual statements and explanation to support the finding, as required by 37 C.F.R. § 1.104(d)(2) (also see MPEP 2144.03.C).

Furthermore, Applicants note that in the claimed invention, in order to transmit information to an information transmitting apparatus among the plurality of information processing apparatus through the common connection line, an address of the information processing apparatus in combination with the information is transmitted. At this time, when the plurality of information processing apparatus require the same information, a plurality of addresses are added to the same information in consideration of the transmission efficiency, for example. In a non-limiting embodiment of the claimed invention, the information being transmitted is output from an image source. The information transmission apparatus determines the image source required by each of the information processing apparatus, and adds the required address to the information output from the relevant image source(s).

Accordingly, the information received by each of the information processing apparatus depends on the relationship between the respective information processing apparatus and the information transmission apparatus, and not on how many other information processing apparatus are connected to the information processing apparatus. This is in distinction to the cable splitter cited by the Examiner, which simply splits a signal being transmitted through the

cable to all the split paths, independent of a desired destination identified in the signal. Moreover, if the Examiner is citing the cable splitter as a repeater, Applicants note that a repeater merely repeats a signal transmitted through a single cable is repeated. Thus, a repeater also does not teach or suggest the claimed common connection line through which information is transmitted to information processing apparatus that are identified by an identifier added to the information being transmitted.

Accordingly, claim 1 is patentable over the alleged combination of Blahut, Magendanz, Cesar, and further in view of the Official Notice relied on by the Examiner.

Claim 9 recites features similar to those discussed above with respect to claim 1. Therefore, claim 9 is patentable for reasons similar to, but not necessarily coextensive with, those given above with respect to claim 1.

Claims 2-8 and 10-18 are patentable *at least* by virtue of their dependency. Further, claim 3 is patentable for reasons in addition to its dependency.

For example, claim 3 recites that when receiving an instruction indicating a request for transmission of specific information, said request analyzing means (1) adds only an identifier associated with said instruction to said array data if a correspondence between the specific information associated with said instruction and at least one identifier is included in the array data stored in said storage means, and (2) adds both identification information identifying the specific information and the identifier, which are associated with said instruction, to said array data if no correspondence between the specific information associated with said instruction and at least one identifier is included in the array data. That is, the data (either only an identifier associated with the instruction or both identification information identifying the specific information and the identifier) added to the array data is dependent on the correspondence (or

lack thereof) between the specific information associated with the instruction and at least one identifier.

The Examiner contends that Blahut, in its Abstract, and col. 7, lines 38-45 teaches these features of claim 3 (Office Action, page 10, paragraph 11). In particular, the Examiner contends that “[i]f a transmission request is received for a selected channel that is already being supplied by the video server to a connected television, the program need not be added to the look-up table, and instead the count of active televisions for the selected channel may be incremented via the addition of the remote ID for the requesting device”, and “[i]f the selected program is not present in the look-up table, due to no active televisions being tuned to the selected program, a request is made to the video server. Thereafter, the requesting television would be stored in the look-up table as the one active television supplying [*sic*] the selected program; thus the device ID and data ID would be stored in an array” (emphasis added). *Id.* Applicants respectfully disagree.

Applicants submit that Blahut does not teach adding an identifier of a requesting remote ID to a row of a look-up table corresponding to a selected channel. Rather, Blahut only discloses maintaining a count of TV’s tuned into a respective channel. Maintaining such a count does not require adding an identifier of the TV to the look-up table. For example, as pointed out in the Appeal Brief filed November 19, 2008 on page 14, Blahut explicitly states that “a count of how many active TVs 107 are tuned to the selected program” is maintained in the lookup table in paragraph [0020], wherein the count is incremented/decremented based on TV’s requesting the subject channel or tuning to another channel from the subject channel. As such, one of ordinary skill in the art would not store TV identifiers for obtaining the value of a counter.

Accordingly, Applicants respectfully submit that merely disclosing that a count of tuned-in TVs 107 is maintained with respect to each selected channel does not teach or suggest storing array data that indicates a correspondence between one of a plurality of different pieces of information to be transmitted (to the requesting information processing apparatus) and at least an identifier identifying one of said plurality of information processing apparatus as claimed in claim 1. Therefore, Blahut cannot fairly teach or suggest making a determination to store (1) only the identifier associated with the request or (2) the identifier and identification information identifying the requested specific information, as set forth in claim 3.

New Claims

New claims 19 and 20 are patentable *at least* by virtue of their dependency. Moreover, the prior art of record does not teach or suggest transmitting, via the common connection line, information exclusively to information processing apparatus, among said plurality of the information processing apparatus, whose identifiers are added to the information. Rather, as noted above, a cable splitter simply transmits the subject signal through all its split paths.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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CUSTOMER NUMBER

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/Quadeer A. Ahmed/
Quadeer A. Ahmed
Registration No. 60,835